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10/590,466

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Timo Ali-Vehmas

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EXAMINER

NGUYEN, PHUNG HOANG JOSEPH

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/590,466	Applicant(s) ALI-VEHMAS, TIMO	
	Examiner Phung-Hoang J. Nguyen	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 7-9, 13-16, 18-21, 24, 27 and 29-34 are rejected under 35

U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Kleier (US Pub 2002/0009990) and/or Mauney et al (US Pub 2005/0032475).

Claims 1, 15, 27, 30, 32 and 33, Kleier teaches a method, a memory, a mobile terminal, a storage medium, and an apparatus comprising,

drawing up a summons to a meeting in a mobile terminal of a convener of a conference call between three or more participants that form a group of participants using respective mobile terminals operating in a wireless network, to arrange a conference call (**fig. 9 shows the invitation is sent to each user in D2 WAP Group call, [0033]; This invitation can be transmitted, in particular, by WAP (WML content, e.g. WAP deck or WAP card) to the mobile terminals of the invited mobile radio subscribers 3, 4, 5. Such an invitation can be transmitted, for example, according to FIG. 7, Abstract, [0030]), wherein the summons to the meeting includes the telephone number of said convener (a telephone number (virtual telephone conference number/bridge) transmitted with the invitation according to FIG. 9, [0033]);**

sending, by the mobile terminal of the convener, the summons to the meeting from the mobile terminal of the convener to all members of the group of participants **(This invitation can be transmitted, in particular, by WAP (WML content, e.g. WAP deck or WAP card) to the mobile terminals of the invited mobile radio subscribers 3, 4, 5. Such an invitation can be transmitted, for example, according to FIG. 7, [0030]);**

receiving calls, at the mobile terminal of the convener, from two or more of the participants, the respective participants having made the call to the telephone number mentioned in the summons **(an invited party...dialing a telephone number (virtual telephone conference number/bridge) transmitted with the invitation, [0033]);** and

automatically joining the participants to the conference call in the mobile terminal of the convener. (Examiner wishes to provide two positions addressing this feature):

(x1) automatically joining the participants to the conference call in the mobile terminal of the convener **(an invited party...dialing a telephone number (virtual telephone conference number/bridge) transmitted with the invitation whereupon he will be connected to the telephone conference, [0033]).**

(x2) examiner considers this a very well-known practice in the art and thus provides Mauney who further teaches the claimed feature as he discusses “that “A wireless handset is provided with enhanced features and capabilities. The wireless handset may be embodied as a full-featured handset that is capable of operating either within a wireless network (such as a cellular or PCS network) or in a direct handset-to-handset communication mode that is independent of the wireless network. Alternatively,

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the wireless handset may be embodied as a special purpose handset that is capable of simply operating in a direct handset-to-handset communication mode. The wireless handset may additionally include features for supporting and enhancing direct communication between handsets, Abstract". Wherein Table I shows that call receive features "AUTO ANSWER" defines that "All calls will be automatically answered by the wireless handset", [0173]".

Therefore it would have been obvious to the ordinary artisan at the time of the invention was made to clearly define this common practice in the art as a way to support automatically joining conference participants together for a call without manual and time-consuming steps to join the conference participants together.

As to claim 2, Kleier teaches the summons to the meeting is drawn up before the group of participants is formed. ***(Before or during the setting-up of the connection, an enquiry is preferably placed with participants whether the invitation to the conference connection is accepted, par. 0007. This indicates that the invitation is formed and the group is also formed regardless the order of being formed).***

As to claims 3, 16 and 31, Kleier teaches the group of participants is formed by selecting the participants from a list saved in a memory of a mobile terminal and/or by manually inputting the contact information of the participants ***(i.e., the participants 3, 4, 5, 6 of the group of mobile radio subscribers which are stored in the list for which list participant 1 has requested a telephone conference, par. 0032; Or the list can be stored in the mobile radio network, in the mobile terminal or in a SIM card, par. 0028).***

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the contact information comprising at least one of telephone numbers, e-mail addresses **(par. 0034)**.

As to claim 4, Kleier teaches a method that the group of participants is given a name and the formed group is saved in a memory of the mobile terminal of the convener for later use **(In the menu in FIG. 1, for example, a telephone conference can be initiated to the members of group 1 (friends) by pressing key 1 on the mobile terminal on which this menu is displayed (or acoustically). This correspondingly applies to numbers 2 and 3 of the menu designated as "beer" or "basketball". The name for a menu can be selected arbitrarily by the user of the mobile terminal, par. 0025)**.

As to claims 7 and 19, Kleier teaches a method that the summons to the meeting is formed as a character string composed of ASCII **characters (see figs. 7 and 9, the characters used are the ASCII)**.

As to claims 8 and 20, Kleier teaches that the summons to the meeting is sent to all members of the group of participants as a text message **(i.e., transmits a message (for example SMS PtP short message or WAP Deck/WAP Card) to the participants in the list for this group, par. 0006)**.

As to claims 9 and 21, Kleier teaches that the summons to the meeting is sent to all members of the group of participants as an e-mail **message (the invited participants can be checked via various telecommunication identities, especially telephone numbers, e-mail addresses etc., par. 0034)**.

As to claims 13-14, Kleier teaches the convener of the conference call is given a notification by the mobile terminal of the convener when a new participant has been joined to the conference call. Furthermore, the notification is given with an acoustic signal or a recorded voice message (*par. 0030*).

As to claim 18, Kleier teaches the memory wherein the actions further comprise starting the application from a menu of the mobile terminal (*In the menu in FIG. 1, for example, a telephone conference can be initiated to the members of group 1 (friends) by pressing key 1 on the mobile terminal on which this menu is displayed (or acoustically). This correspondingly applies to numbers 2 and 3 of the menu designated as "beer" or "basketball". The name for a menu can be selected arbitrarily by the user of the mobile terminal. If item 4 in FIG. 1 is selected (for example by pressing key 4 on the mobile terminal), the menu according to FIG. 2 is displayed, par. 0025*).

Claim 24, see claim 1 on the discussion of automatic connection.

As to claim 29, Kleier teaches a mobile terminal configured to start the application from a menu of the mobile terminal (*fig. 1 and pars. 0024-0026*).

Claim 34, **see claim 1 (ii)**.

Claims 5, 10-12, 17, 22, 25, 28 and 35 are rejected under 35 U.S.C. 103(a) as unpatentable over Kleier in view of Mauney and further in view of Wu.

Claim 5, while Kleier teaches the other information concerning conference call (beer or basketball information), Kleier does not specifically discuss a time of the conference call.

It is obvious to that when one is to set up a conference call, time of conference (start time, end time, and/or duration) is a requirement in order for the participants to make arrangement. Furthermore, Wu teaches the claimed feature shown in Fig. 5B, col. 9, lines 50-59).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Wu into the teachings of Kleier for the purpose of utilizing the time feature informing participants to meet at a particular time and its duration do that the participants can make proper arrangement.

As to claims 10 and 22, Kleier does not specifically that in connection with drawing up the summons to the meeting, a connection is opened to a calendar application in the mobile terminal of the convener and a reservation of time is made in the calendar application.

Wu teaches a calendar system to help users schedule their meeting, conference, sending out and responding to event invitation (Fig. 4B. This information may be used in teleconference setup process and initiation).

Claims 11, 12 and 25, by obviousness, Kleier teaches the summons to the meeting is saved in a memory of the mobile terminal for later use; a duration of the conference call and a name of the group of participants are saved in a memory of the mobile terminal; and saving a duration of the conference call and a name of the conference call in the memory of the mobile terminal **(Kleier: conference set-up, information, suitably stored/saved in the mobile terminal or mobile radio**

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subscriber identity card, [0008, 0024, 0026, 0032]; Kleier does not discuss the duration of a conference call and though teaching of the duration of a conference call is obvious for participant's planning, Wu teaches the duration of a conference call (**see fig. 4A, block 412 indicating the length of the call is 1 hours**).

Furthermore, Wu also teaches the invitation with associated information is saved for future use (*fig. 8 shows step 810 forwarding the invitation, then the invitation being saved. Upon completion of processing, a determination is made at 810 as to whether the coordinator wishes to forward the invitations to the selected participants. If the coordinator decides in the affirmative then the invitations are forwarded at 812. At 814 a determination is made as to whether the generated telephone conference profile information should be saved. At 816 telephone conference profile information to be saved is provided with an identifier and the process is concluded, col. 10, lines 19-26*).

As to claims 17 and 28, Kleier teaches the actions further comprise starting the application (*the menu in FIG. 1, for example, a telephone conference can be initiated to the members of group 1 (friends) by pressing key 1 on the mobile terminal on which this menu is displayed (or acoustically). This correspondingly applies to numbers 2 and 3 of the menu designated as "beer" or "basketball". The name for a menu can be selected arbitrarily by the user of the mobile terminal, par. 0025*).

Kleier does not specifically teach “a starting icon produced on a display of a mobile terminal”. Wu teaches the icons on the display (***see figs. 4A-C***) for the purpose of promptly providing a visually interactive choice for the participants.

Claim 35, see claim 5.

Claims 23 and 26 are rejected under 35 U.S.C. 103(a) as being obvious over Kleier (US Pub 2002/0009990).

As to claim 23 and 26, Kleier does not specifically teach separating the received summons to the meeting from other messages that have arrived; and giving a notification to a convener of the conference call when a new participant has been joined to the conference call.

It is, however, obvious to the ordinarily skilled artisans to believe that all messages coming in will be delivered to different folders or having different icons or having different forms of notification based on the header information. It is to let the receivers, whether in a conference call or not, know the differences and to response appropriately. Furthermore, conference call is created in a controlled environment where only certain members of a specific group (i.e., friends, beer, basketball, see fig. 1) are called to the conference. Most will come on time. Few will come late. It is so obvious that when new participant joins, in a very usual situation, a notification (i.e., acoustic sound) would indicate to the convener (if not all) that someone new is just joining the call.

Therefore, it would have been obvious to one of ordinary skill in the art at the time to believe in a most logical way to believe that Kleier's system and method would be very capable of separating the received summons to the meeting from other messages that have arrived; and of giving a notification to the convener of the conference call when a new participant has been joined to the conference call.

Response to Applicant's Argument

Though applicant's arguments and amendment filed on 9/19/11 with respect to claims 1-5 and 7-35 have been considered and are moot in view of the new ground(s) of rejection, examiner, however, feels an obligation to further clarify the use of Kleier again.

There are two key points applicant made and suggested that Kleier does not teach:

(i) the summons includes **"the telephone number of the convener"**, the respective participants having made their call using the telephone number of the convener mentioned in the summons; and

(ii) the application for the convener mobile terminal causes the convener mobile terminal to **"automatically join.. the participants to the conference call"** - i.e. the convening device joins the participants together in the conference call.

Examiner respectfully disagrees:

Point (i), examiner will rely on the MPEP 2111 (Claim Interpretation)

**CLAIMS MUST BE GIVEN THEIR BROADEST REASONABLE
INTERPRETATION**

During patent examination, the pending claims must be "given their broadest reasonable interpretation consistent with the specification." >The Federal Circuit's en

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banc decision in *Phillips v. AWH Corp.*, 415 F.3d 1303, 75 USPQ2d 1321 (Fed. Cir. 2005) expressly recognized that the USPTO employs the “broadest reasonable interpretation” standard:

The Patent and Trademark Office (“PTO”) determines the scope of claims in patent applications not solely on the basis of the claim language, but upon giving claims their broadest reasonable construction “in light of the specification as it would be interpreted by one of ordinary skill in the art.” *In re Am. Acad. of Sci. Tech. Ctr.*, 367 F.3d 1359, 1364[, 70 USPQ2d 1827] (Fed. Cir. 2004). Indeed, the rules of the PTO require that application claims must “conform to the invention as set forth in the remainder of the specification and the terms and phrases used in the claims must find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description.” 37 CFR 1.75(d)(1).

Claim 1 states that “the summons to the meeting includes the telephone number of said convener”.

As an employee of Lucent Technologies from July 1996 to August 2007, examiner was privileged working as a technical support and customer advocate (Hereinafter advocate). The job responsibility required the advocate to be in the conference call with the customer very often. It was necessary for the advocate to obtain a conference number (virtual number) and use it exclusively for meeting/conferencing with the customer. This number was designated exclusively to specific advocate for the conference purpose only and remained known only to the advocate. Advocate literally owns this number. The conference participants were

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provided this virtual number only when invited. Examiner reads that by the action of the past experience and by the teaching of MPEP 2111, the virtual number given to the advocate was the number of the convener as discussed by Kleier and certainly relevant to the claim "the summons to the meeting includes the telephone number of said convener". Note that the claim states "the number of said convener", (the claim is addressing to a specific person, a conference initiator/convener, the owner of a device) not "the number of said convener's terminal (or device or mobile station)).

Therefore examiner stands firm that Kleier in combination with MPEP 2111 (broadest reasonable interpretation) and examiner's own experience, teaches the claimed feature.

Point (ii), the application for the convener mobile terminal causes the convener mobile terminal to "automatically join.. the participants to the conference call" - i.e. the convening device joins the participants together in the conference call.

Examiner wishes to point to Keller's par. [0033].

"As an alternative, a participant-initiated connection set up by in each case one invited participant 3-6 of the list is possible. In this case, an invitation according to FIG. 9 is sent and the invited person can in each case participate in the telephone conference by him, or by his mobile terminal, respectively, dialing a telephone number (virtual telephone conference number/bridge) transmitted with the invitation according to FIG. 9 whereupon he will be connected to the telephone conference. The invitation according to FIG. 9 can be transmitted, for example, as WML content to a WAP terminal".

Here examiner reads when an invited party calls back for the conference, he or she is received/answered by the convener. Meaning the convener joins the invited party with other participants since all would call in to the same number.

As indicated above, examiner does provide additional new art (Mauney) addressing the claimed feature.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUNG-HOANG J. NGUYEN whose telephone number is (571)270-1949. The examiner can normally be reached on Monday to Thursday, 8:30AM - 5:00PM EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 571 272 7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Phung-Hoang J Nguyen/
Primary Examiner, Art Unit 2614